

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
)
vs.)
)
FLORENTINO RUIDIAZ, JR.)
)

CR No. 2005-10214-MLW

DEFENDANT’S MOTION FOR LEAVE TO FILE MOTION TO SUPPRESS

The Defendant Florentino Ruidiaz, Jr. respectfully requests that the Court grant permission to file Defendant’s Motion to Suppress after the currently expired due date of September 15, 2006.

In support whereof, Defendant states the following:

1. Defendant’s counsel was in the process of drafting the above-mentioned Motion to Suppress and fully intended to submit it by the above due date.
2. Counsel then found himself in the midst of an extraordinarily busy period at the office, including an internal firm emergency unrelated to this case which required him to prepare for and try a case in New York on Monday, September 18. In the press of circumstances, counsel inadvertently omitted to send a proposed affidavit to the Defendant for signature. As a result, counsel was unable to obtain a signed affidavit from the Defendant in a timely manner for inclusion with the Motion to Suppress. The undersigned apologizes to the Court for this omission.
3. The affidavit and Motion to Suppress will be filed by October 2, 2006.
4. No prejudice will adhere to either side as a result of allowing this motion.

Wherefore, the Defendant Florentino Ruidiaz, Jr. respectfully requests that the Court grant leave for Defendant to file his Motion to Suppress by October 2, 2006.

RESPECTFULLY SUBMITTED,
DEFENDANT,
BY HIS ATTORNEY,

/s/ Robert S. Sinsheimer
Robert S. Sinsheimer, Esq.
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Dated: September 20, 2006

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on September 20, 2006.

/s/ Robert S. Sinsheimer